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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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MAY 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment to Part 61 of the)
Commission's Rules Requiring) CC Docket No. 93-55
Metric Conversion of Tariff)
Publications and Supporting)
Information)

COMMENTS OF
AMERICAN TELEPHONE AND TELEGRAPH COMPANY

Pursuant to Section 1.415 of the Commission's Rules, American Telephone and Telegraph Company ("AT&T") submits these comments in response to the Commission's Notice of Proposed Rulemaking, released April 8, 1993.¹

The Notice proposes amendments to Part 61 of the Commission's Rules to implement for telecommunications the policies embodied in the National Metric Conversion Act of 1975 ("NMCA").² In particular, the Notice proposes three options for carriers to "express measurement sensitive information in a tariff publication in metric units"

¹ Amendment to Part 61 of the Commission's Rules Requiring Metric Conversion of Tariff Publications and Supporting Information, Notice of Proposed Rulemaking, CC Docket No. 93-55, FCC 93-134, released April 8, 1993 ("Notice").

² Metric Conversion Act of 1975, Pub. L. 94-168, 89 Stat.

(para. 7). The Notice seeks comment on "this approach" and "on whether there is some other metric conversion rule that would strike a better balance among the goals of encouraging metric conversion, reducing customer confusion and minimizing burdens on carriers and customers alike" (para. 8).

AT&T appreciates the Commission's desire to facilitate the use of the metric system, particularly in view of the increasingly globalized nature of the economy, and the importance of telecommunications in international markets. The Commission's approach, however, is neither required nor even authorized by the NMCA. First, the NMCA does not impose any requirements on the Commission. Although the statute requires certain federal agencies to use the metric system in their "business-related activities," this requirement does not "includ[e] the FCC" (Notice, para. 1). More fundamentally, the NMCA does not authorize any agency, to require that private parties subject to their jurisdiction use the metric system. To the contrary, both the original and amended versions of the NMCA contemplate "voluntary conversion to the metric system."³ Indeed, the limitations contained in the NMCA

³ See 15 U.S.C. 205a(6) (amended version) (emphasis added); 15 U.S.C. 205b (original version). The Interagency Committee on Metric Policy likewise recognizes that Congress did not authorize agencies to adopt rules requiring conversion to the metric system. Rather, the Committee recommends that agencies adopt rules and regulations that "accommodate the voluntary transition

and the statute's emphasis on "voluntary" conversion to the metric system underscore that minimizing the burdens and the potential for customer confusion should be the overriding considerations in the application and interpretation of any rules that are adopted.

Against this background, AT&T believes that the first option described in the Notice may strike a reasonable balance. Under that option, carriers would "provide in the general rules section of their tariff publications a table for converting non-metric units and corresponding rates to metric units" (Notice, para. 7). AT&T would have no objection to this requirement which could be satisfied by the filing of information needed to convert measurement sensitive information into metric units and corresponding rates. For example, the general rules section of a tariff containing rates per mile would include the number of kilometers per mile (i.e., 1.61), and a formula for converting the per mile rate to a per kilometer rate (i.e., multiply the per mile rate by 0.62). Similar information would be provided for units of measurement

non-metric unit and rate into metric units and corresponding rates, as contemplated by the proposed second option. AT&T's tariffs currently include thousands of pages with rates and rate tables that could require conversion. Converting (and then updating) each of these rates to the metric system would be a massive undertaking, and would significantly add to the bulk and complexity of AT&T's tariffs. There is no justification for the imposition of such costs, particularly if a carrier is able to provide the information described above under the first option.

AT&T also opposes the third option. That option, like the second option, would require carriers to convert each and every rate stated in non-metric units to a metric counterpart, and is objectionable for the same reasons. In addition, because "[o]nly the resulting metric unit and rate must be clearly shown in the tariff publication," this option would appear to require carriers to overhaul their billing systems to ensure that the amounts they bill and collect correspond to the metric measurements stated in the revised tariffs, as opposed to the non-metric measurements that are currently used.⁴ The costs of such an overhaul

⁴ Because of the effect of the "rounding" of distances used in many tariffs, a different total charge can result on the same call if the charge is calculated using a metric as opposed to a non-metric measurement.

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could be several million dollars for a carrier such as AT&T.⁵

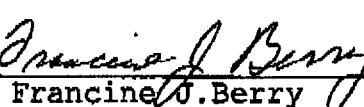
CONCLUSION

The NMCA neither requires nor authorizes the Commission to adopt mandatory rules applicable to carriers subject to the Commission's jurisdiction. Nevertheless, AT&T does not oppose the adoption of rules, such as those proposed in option 1, that would require carriers to include in their tariffs information that would permit the conversion of non-metric units and corresponding rates to metric units without imposing undue burdens on carriers and their customers.

Respectfully Submitted,

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⁵ The third option is also objectionable from a customer's perspective. A significant number of customers are familiar with and make purchasing decisions based on the existing non-metric units of measurement. Allowing carriers to totally dispense with non-metric units and rates would cause unnecessary confusion for these customers. Such confusion could easily be avoided if the carrier uses option one.